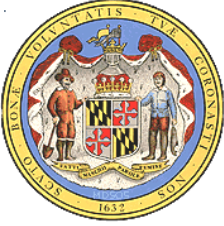


## Justice Reinvestment Advisory Board



**Location:** Remote Meeting  
**Call in:** [meet.google.com/gho-xesw-ady](https://meet.google.com/gho-xesw-ady)  
**+1 443-402-6039 PIN: 808 987 891#**  
**Date:** Monday May 4, 2020  
**Time:** 11:30 a.m. – 12:30p.m.

**In Attendance:** Andrea Sutton (DPSCS), Marsha Briley (DPSCS), Patricia Stevens (DPSCS), Tammy Proctor (DPSCS), Anthony Baranauskas (GOPCYVS), Robyne McCullough (GOPCYVS), Daniel Atzmon (GOPCYVS), Bill Gaertner, Christine Celeste, Toni Holness, Michele Hughes, Valarie Barnes, Crista Taylor, Anthony Washington, Nick Katz, Adrienne Bridenstine, Irnande Altema

### Agenda details:

- **Introductions**
- **Review and Approval of Minutes**
- **Member Updates**
  - ACLU is advocating with local agencies to head COVID-19 guidance, use evidence and work to depopulate jails and prisons. Data from Ohio suggests many new cases stemming from the prison system. Would like to hear from DPSCS about implementation of Executive Order.
  - Anthony Washington - Thank you to ACLU and other advocacy groups. Parole and Probation agency still doesn't have needed resources and individuals don't have cell phones. This creates challenges staying in contact. Textnow.com and Google Voice are not ideal tools and internet access is also a challenge. Last number I have is 700 released or in the process.
  - Marsha Briley, DPSCS - We are working hard on releases and having meetings and reentry planning with everybody set to return to the community. We're working hard with partners as well to ensure access to food and other needs and to stay updated on Covid-19 protocols. Anne Arundle County has worked hard to partner with us and stand out as a local jurisdiction.

- AA County has pooled all dept heads to assist with needs for returning citizens. Transportation is a great example of how they've centralized and coordinated resources.
- Bill Geartner - Gatekeepers still working hard everyday, including helping with transportation. Shooting video on Wednesday with individuals that are being served, focused on remote programming and activities folks can do while confined. Distributing written materials as well including workbooks.
- **GOCYVS Updates**
  - Discussion of funding and support being provided by GOCYVS
  - With Juvenile Justice Reinvestment, how will youth floating between the two systems be addressed? Moving back and forth between youth and adult systems can be very tough on kids.
    - Approximately 125 kids go between systems. Site and sound separation still mandates even if they're in the adult system they are mostly housed as DJS. Mental health figures as a major issue
    - Daniel will follow up with DJS staff and the Board to schedule a separate meeting to discuss the Juvenile Justice Reform Council
- **Expungements**
  - Bills passed this year:
    - **HB 1336 — Criminal Procedure – Partial Expungement, Maryland Judiciary Case Search, and Expungement of Misdemeanor Conviction:** This bill prevents the Maryland Judiciary Case Search from publishing information on “non-convictions”—specifically, cases that result in an **acquittal, a dismissal, or a nolle prosequi**, unless the nolle prosequi requires drug and alcohol treatment. This bill also establishes a work group to examine the issue of partial expungement, also referred to as the “unit rule.” This refers to the current prohibition on expungement of a charge within a “unit” of charges unless all of the charges in the unit are eligible for expungement. The workgroup, which is to be staffed by the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOVS), is required to report its plan and legislative recommendations to the General Assembly by January 5, 2021. The bill adds fourth-degree burglary to the list of misdemeanors eligible for expungement under § 10-110 of the Criminal Procedure Article (effective October 1, 2020).
    - **HB 83 - Criminal Procedure – Charge of Possession of Marijuana – Removal From Case Search:** This bill Prohibits the Maryland Judiciary Case Search from in any way referring to the existence of a District Court

criminal case in which possession of marijuana is the only charge in the case and the charge was disposed of before October 1, 2014.

- Outstanding fines, fees & restitution orders hampered some expungements even when P&P agents declare a case closed.
- Immigration concerns are primarily about the individual retaining access to their own records if ever needed
- Lethality assessments and police reports are important and also worth considering retaining some access to, even in non-convictions to protect victims and assist with safety planning. Retaining some kind of limited access for law enforcement and victim service providers
  - Identifying which charges
  - 2nd degree assault also suggests a training opportunity with law enforcement to ensure that cases are properly documented
- Discussion of primary barrier identified in previous automatic expungement bills, costs, which will be particularly challenging as budgets are strained due to Covid-19.
- We will convene again to discuss this issue specifically

- **Closing Thoughts and Next Steps**

- Daniel will follow up to schedule two discussions regarding youth in the adult and juvenile systems and expungements
- Next meeting will be held in early July